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OCT 11 2011

Judge Benjamin H. Settle



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07-CV-00248-ORD

OCT 17 2011

ORIGINAL

5 CLERK U.S. DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 DEPUTY  
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OCT 17 2011	
CLERK U.S. DISTRICT COURT BY WESTERN DISTRICT OF WASHINGTON AT TACOMA DEPUTY	

10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT TACOMA

13 UNDER SEAL,

14 Plaintiff,  
15 v.

No. C07-0248 BHS

16 UNDER SEAL,

17 Defendants.

UNDER SEAL

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Judge Benjamin H. Settle

ORIGINAL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
*ex rel.* MARSHALL S. HORWITZ, M.D.,

v.  
Plaintiff,

No. C07-0248 BHS

AMGEN, INC. and DAVID C. DALE,  
Defendants

**UNDER SEAL**

## **ORDER**

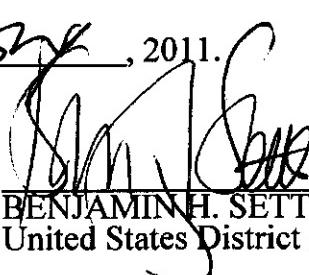
The United States has filed an *Ex Parte* Application for an Extension of time to Consider Election to Intervene, in which the government seeks a six (6) month extension of time, from October 18, 2011, up to and including April 19, 2012, in which to notify the Court whether it intends to intervene in this *qui tam* lawsuit. Such an extension of time is expressly contemplated by the False Claims Act, which provides that the United States “may, for good cause shown move the Court for extensions of time. . . .” 13 U.S.C. § 3730(b)(3). The Court finds that such good cause exists here.

25 Accordingly, it is hereby ORDERED that the United States shall have from October 18,  
26 2011, to April 19, 2012, to notify the Court of its decision whether or not to intervene in this *qui  
tam* action. The Clerk shall otherwise maintain the Complaint and other filings under seal for  
27 the duration of the government's investigation, unless otherwise ordered by the Court.  
28

**Order – 1**  
(C07-0248 BHS)  
**FILED UNDER SEAL**

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101-1271  
(206) 553-7970

1 DATED this 17 day of October, 2011.  
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6 BENJAMIN H. SETTLE  
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8 United States District Judge  
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10 Presented by:  
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13 HAROLD MALKIN  
14 Assistant United States Attorney  
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**Order – 2**  
(C07-0248 BHS)  
**FILED UNDER SEAL**

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101-1271  
(206) 533-7970